

9194199354

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## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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23448 7590 03/22/2005

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|                |                    |
|----------------|--------------------|
| Kate Turner    | (Depositor's name) |
|                | (Signature)        |
| April 18, 2005 | (Date)             |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/845,416      | 04/30/2001  | Xiao Xiao            | DE1253              | 4144             |

TITLE OF INVENTION: DNA SEQUENCES ENCODING DYSTROPHIN MINIGENES AND METHODS OF USE THEREOF

| APPLN. TYPE       | SMALL ENTITY                         | ISSUE FEE               | PUBLICATION FEE | TOTAL FEE(S) DUE            | DATE DUE   |
|-------------------|--------------------------------------|-------------------------|-----------------|-----------------------------|------------|
| nonprovisional    | <del>NO</del> YES<br>(see 5. b. (4)) | <del>\$1400</del> \$700 | \$300           | <del>\$1700</del><br>\$1000 | 06/22/2005 |
| EXAMINER          | ART UNIT                             | CLASS-SUBCLASS          |                 |                             |            |
| WHITEMAN, BRIAN A | 1635                                 | 435-320100              |                 |                             |            |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Steven J. Hultquist  
2 Marianne Fuierer  
3 Tristan Fuierer

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Asklēpios Biopharmaceutical, Inc.

Chapel Hill, North Carolina

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

## 4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
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## 4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☒ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge <sup>any deficiency</sup> ~~the required fee(s)~~ or credit any overpayment, to Deposit Account Number 06-3284 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- ☒ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

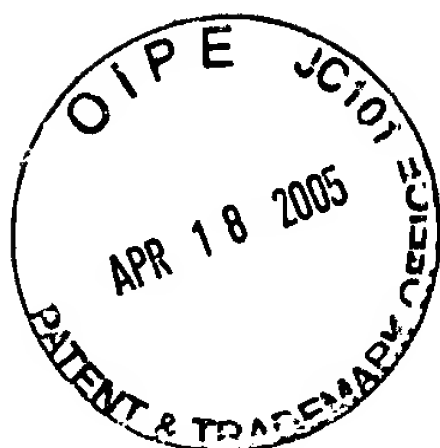
The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date April 18, 2005Typed or printed name Steven J. HultquistRegistration No. 28,021

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |   |                   |                |
|--|---|-------------------|----------------|
| In re United States Patent Application of: | ) | Docket No.:       | 4247-101       |
| Applicant: XIAO, Xiao                      | ) | Examiner:         | Whiteman, B.A. |
| Application No.: 09/845,416                | ) | Art Unit:         | 1635           |
| Date Filed: April 30, 2001                 | ) | Confirmation No.: | 4144           |
| Title: DNA SEQUENCES                       | ) | Customer No.:     | <b>23448</b>   |
| COMPRISING DYSTROPHIN                      | ) |                   |                |
| MINIGENES AND METHODS                      | ) |                   |                |
| OF USE THEREOF                             | ) |                   |                |

## FACSIMILE TRANSMISSION CERTIFICATE

Fax No. (703) 746-4000

I hereby certify that this document is being filed in the United States Patent and Trademark Office, via facsimile transmission to Mail Stop ISSUE FEE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on April 18, 2005, to United States Patent and Trademark Office facsimile transmission number (703) 746-4000.

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Number of Pages (including cover)

Kate Turner

April 18, 2005

Date

SUBMISSION OF ISSUE FEE TRANSMITTAL IN  
U.S. PATENT APPLICATION NO. 09/845,416

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

Enclosed is the Issue Fee Transmittal, along with a Credit Card Payment Form authorizing payment in the amount of \$1,000.00 for the issue fee and publication fee, in response to the Notice of Allowance dated March 22, 2005 in the above-identified patent application.

NOTE THAT SMALL ENTITY STATUS IS APPROPRIATE TO THE APPLICATION, AND SUCH SMALL ENTITY STATUS IS HEREBY CLAIMED. The Issue Fee Transmittal has been corrected in Section 5 thereof, to reflect such small entity status.

The Commissioner is requested to charge any deficiency or credit any overpayment to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Respectfully submitted,



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Steven J. Hulquist  
Reg. No. 28,021  
Attorney for Applicant

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